

Weil, Gotshal & Manges LLP

767 Fifth Avenue
New York, NY 10153-0119
+1 212 310 8000 tel
+1 212 310 8007 fax

Todd Larson
+1 (212) 310-8238
Todd.Larson@weil.com

January 30, 2023

SUBMITTED VIA ECF AND EMAIL

The Honorable Analisa Torres
United States District Judge
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, New York 10007
Torres_NYSDChambers@nysd.uscourts.gov

Re: *Ultra International Music Publishing, LLC v. Kanye West individually and d/b/a “Yeezy Tech,” et al.*, Case No. 1:22-cv-05560 (AT)

Dear Judge Torres:

Counsel for Defendants Kano Computing Limited (“Kano”) and Alex Klein (“Mr. Klein”) and Plaintiff Ultra International Music Publishing, LLC (“UIMP”) in the above-captioned action write jointly regarding the case schedule. Last week, the Court granted in part and denied in part Greenberg Traurig, LLP’s (“GT”) motion to for an extension of the deadline to serve Defendant Kanye West, individually and d/b/a “Yeezy Tech” (“Ye”) with a copy of the Court’s order granting GT’s motion to withdraw as Ye’s counsel of record in this action and for leave to serve Ye via alternative means. Dkt. 78. The Court extended GT’s deadline to personally serve Ye to February 9, 2023. *Id.*

As counsel for UIMP, Kano, and Mr. Klein advised in their joint status updated submitted on January 18, 2023 (Dkt. 77), given GT is still in the process of attempting to serve Ye with a copy of this Court’s order granting GT’s motion to withdraw, the status of Ye’s participation in the defense of this matter remains in flux. Counsel for UIMP and counsel for Kano and Mr. Klein are in contact, but all parties agree that Ye will be an important participant in this litigation should it need to be fully litigated on the merits.

Although all presently appearing parties are hopeful there will be clarity about Ye’s participation in this matter soon, given the uncertain timing of his participation, it appears the schedule will need to be adjusted.

Therefore, pursuant to Sections I.B. and I.C. of Your Honor’s Individual Practices, and for good cause, Kano and Mr. Klein respectfully request that the Court stay the current schedule, including both Kano’s and Mr. Klein’s dates to respond to the Complaint (February 2, 2023) until the same date as Ye, i.e.,

The Hon. Analisa Torres
January 30, 2023
Page 2

Weil, Gotshal & Manges LLP

thirty days after Ye informs the Court of his representation status. This is Mr. Klein's second request for an extension of time to respond to the Complaint, and Kano's sixth. The Court has granted Kano's and Mr. Klein's previous requests for good cause shown and, as to the previous three requests, based on the same rationale stated above. *See* Dkt. 24, 30, 33, 42, 62.

Kano and Mr. Klein respectfully submit that the rationale of Kano's prior extension requests continues to exist and provides good cause for a further extension. The core allegation in the Complaint is that Ye included an unauthorized sample of Plaintiff's copyrighted work in a recording subsequently made available via Kano music players. Given Ye's central role in the alleged infringing activity, it would be efficient to re-visit the entire schedule in this matter (including setting response deadlines for all three defendants), after Ye has secured counsel. Moreover, if the Court grants Kano's and Mr. Klein's extension requests, there would be no delay to the proceeding or prejudice to any other parties, as the schedule will necessarily be tied to Ye's counsel decision in any event. (As the Court highlighted in its order granting GT's motion to withdraw, discovery is still pending and no trial date has been set.)

Counsel for UIMP and Kano and Mr. Klein appreciate the Court's attention to this urgent matter.

Respectfully submitted,

/s/ Todd Larson

Todd Larson

cc: Counsel of Record